

APPENDIX A

#17 affid  
Verchere  
56-OB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :

David VERCHERE

Serial No.: 09/441,204

Filed: November 16, 1999

)  
)  
) Group Art Unit: 3625  
)  
) Examiner: Robert M. Pond  
)  
)

For: METHOD AND SYSTEM FOR ACQUIRING  
BRANDED PROMOTIONAL PRODUCTS

**DECLARATION OF DAVID VERCHERE**

I, David Verchere, declare and attest to the following:

1. I am a citizen of Canada and reside at 351 West 20th Street #4, New York, New York 10011.

2. I am a sole inventor of the inventions disclosed and claimed in the above-identified patent application.

3. I conceived of the inventions as recited by pending claims 10, 20-30 of the above-identified patent application prior to at least June 22, 1999. I completely disclosed the subject matter claimed in the above-identified patent application to at least the individuals whose affidavits attesting to this fact are attached as Appendix B and Appendix C. More specifically, I discussed the product database, vendor entry point interface, vendor showcase module, branded promotional products module, reseller showcase module, company logo store module, back office module, front office module, and bidding module, as recited in claims 21-30, as well as the

database, products web page, reseller showcase web page, vendor showcase web page, front office module, bidding module, artwork library and processor of claims 10 and 20.

4. Further support for the conception of the subject matter claimed in the above-identified application is provided by Appendix E, which provides documented evidence that I conceived of the invention as claimed in pending claims 10, 20-30, prior to at least June 22, 1999. In particular, the product database, vendor entry point interface, vendor showcase module, branded promotional products module, reseller showcase module and company logo store module, as recited in claims 21-30, are clearly supported throughout the Business Plan of Appendix E (see pages 5, 6, 8-15, 23-29, 32-33). Similarly, the features of claims 10 and 20 are also supported throughout the Business Plan of Appendix E. For any features that the Examiner may believe are missing from the Business Plan of Appendix E, I declare that those features were conceived as of June 22, 1999 and fully and completely disclosed to at least the individuals discussed above in paragraph 3 (see Declaration of Lynne Verchere Appendix B and Declaration of Jeremiah Sheehan Appendix C).

5. Evidence of continued due diligence is provided by Appendix D, which is a screen shot of an electronic folder illustrating at least a portion of my progress from prior to at least June 22, 1999 to November 1999, during which I worked diligently the entire time period towards reducing the concept I conceived of prior to at least June 22, 1999 to practice.

6. I diligently reduced the subject matter claimed in the above-mentioned application to practice by the filing of my patent application on November 16, 1999, as evidenced by Appendices D-M.

7. I was diligent from at least prior to June 22, 1999 to at least July 9, 1999, as evidenced by Appendix F and further supported by Appendix D. During at least this time period,

I continuously and diligently worked on the document of Appendix F. The document of Appendix F is an executive summary of the subject matter of the above-mentioned application and provides evidence of due diligence.

8. I was diligent from at least prior to July 9, 1999 to at least August 10, 1999, as evidenced by Appendix G and further supported by Appendix D. During at least this time period, I continuously and diligently worked on the document of Appendix G. More specifically, the features associated with the product database, vendor entry point interface, vendor showcase module, branded promotional products module, reseller showcase module, company logo store module, back office module, front office module, and bidding module, as recited in claims 21-30, as well as the features associated with the database, products web page, reseller showcase web page, vendor showcase web page, front office module, bidding module, artwork library and processor of claims 10 and 20 are clearly and fully disclosed by the Business Plan, attached as Appendix G (see pages 12-24 and 34-36).

9. I was diligent from at least prior to August 10, 1999 to at least August 13, 1999, as evidenced by Appendix H and further supported by Appendix D. During at least this time period, I continuously and diligently worked on the document of Appendix H. The document of Appendix H is an executive summary of the subject matter of the above-mentioned application and provides evidence of due diligence.

10. I was diligent from at least prior to August 13, 1999 to at least August 19, 1999, as evidenced by Appendix I and further supported by Appendix D. During at least this time period, I continuously and diligently worked on the document of Appendix I. The document of Appendix I is an executive summary of the subject matter of the above-mentioned application and provides evidence of due diligence.

11. I was diligent from at least prior to August 19, 1999 to at least August 20, 1999, as evidenced by Appendix J and further supported by Appendix D. During at least this time period, I continuously and diligently worked on the document of Appendix J. More specifically, the features associated with the product database, vendor entry point interface, vendor showcase module, branded promotional products module, reseller showcase module, company logo store module, back office module, front office module, and bidding module, as recited in claims 21-30, as well as the features associated with the database, products web page, reseller showcase web page, vendor showcase web page, front office module, bidding module, artwork library and processor of claims 10 and 20 are clearly and fully disclosed by the Business Plan, attached as Appendix J (see pages 12-25 and 35-37).

12. I was diligent from at least prior to August 20, 1999 to at least September 29, 1999, as evidenced by Appendix K. During at least this time period, I continuously and diligently worked on the document of Appendix G. More specifically, the features associated with the product database, vendor entry point interface, vendor showcase module, branded promotional products module, reseller showcase module, company logo store module, back office module, front office module, and bidding module, as recited in claims 21-30, as well as the features associated with the database, products web page, reseller showcase web page, vendor showcase web page, front office module, bidding module, artwork library and processor of claims 10 and 20 are clearly and fully disclosed by the Exchange 1999 Development Plan, attached as Appendix K (see pages 2-4 and 5-31).

13. From September 3, 1999 to November 16, 1999, I worked with my patent attorneys at Hunton & Williams to effectively reduce my invention to practice, as shown by Appendix L. A letter dated September 8, 1999 addressed to my representative Lynne Verchere

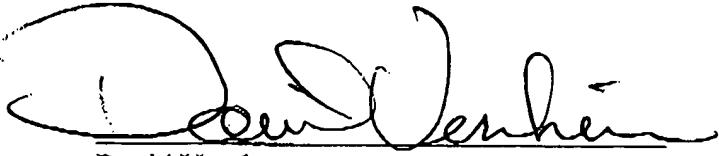
was sent from Hunton & Williams regarding a patentability search, the results of which have been submitted as an Information Disclosure Statement. From at least September 8, 1999 to October 8, 1999, my patent attorneys at Hunton & Williams diligently worked on a draft patent application for the subject matter of the above-identified patent application. A letter dated October 8, 1999 addressed to my representative Lynne Verchere was sent from Hunton & Williams regarding a draft application. From at least October 8, 1999 to November 11, 1999, my patent attorneys at Hunton & Williams diligently worked on a final patent application for the subject matter of the above-identified patent application. A letter dated November 11, 1999 addressed to me was sent from Hunton & Williams regarding a final draft of my patent application.

14. On November 16, 1999, my patent application was reduced to practice. From November 11, 1999 to November 16, 1999, my patent attorneys worked diligently to finalize my patent application for filing. A post card receipt of the filing of the above-mentioned patent application is attached as Appendix M.

15. I attest that the acts relied upon to establish the prior date of at least June 22, 1999 were carried out in this country or in a NAFTA country or WTO member country.

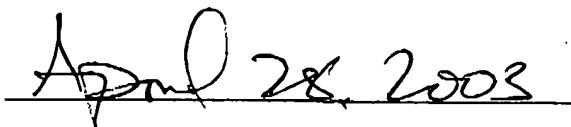
16. I declare that the statements made of my own knowledge are true and statements made on information and belief are believed to be true; and that these statements are made with knowledge that willful false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code or other provisions, and that any such willful false statements, if filed, may jeopardize the validity of any related patent application or patent issuing thereon from the U.S. Patent and Trademark Office.

Signature:  
Name:



The image shows a handwritten signature in black ink, which appears to be "David Verchere". Below the signature, the name "David Verchere" is printed in a smaller, clean font.

Date of Execution:



The image shows a handwritten date in black ink, which appears to be "April 28, 2003". The date is written in a cursive style and is underlined.



# 18/affid.

Serial No.: 09/441,204  
Attorney Docket No. 56490.000002

Doran  
56-03

APPENDIX B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
                                )  
                                )  
                                David VERCHERE      ) Group Art Unit: 3625  
                                )  
                                )  
                                Serial No.: 09/441,204     ) Examiner: Robert M. Pond  
                                )  
                                )  
                                Filed: November 16, 1999     )  
                                )

For: METHOD AND SYSTEM FOR ACQUIRING  
BRANDED PROMOTIONAL PRODUCTS

**DECLARATION OF LYNNE VERCHERE**

I, Lynne Verchere, declare and attest to the following:

1. I am a citizen of Canada and reside at 1-11 Hay Hill, London, UK W1J 6DH.
2. David Verchere, sole inventor of the invention disclosed and claimed in the above-identified application, completely disclosed and discussed the subject matter claimed in the above-identified patent application to me prior to at least June 22, 1999. More specifically, David Verchere discussed the product database, vendor entry point interface, vendor showcase module, branded promotional products module, reseller showcase module, company logo store module, back office module, front office module, and bidding module, as recited in claims 21-30, as well as the database, products web page, reseller showcase web page, vendor showcase web page, front office module, bidding module, artwork library and processor of claims 10 and 20.
3. I am a business partner of David Verchere. I worked as a systems engineer at IBM for 10 years, taught a college level course in computer science for 5 years, and operated my

own computer company for 12 years. I have extensive experience in designing and building computer systems. David Verchere fully and completely disclosed his inventions as recited in claims 10, 20-31 to me in connection with our business venture and to obtain my technical advice regarding implementation of his inventions.

4. I witnessed and fully understood the complete disclosure given to me in the United States prior to at least June 22, 1999.

5. I declare that the statements made of my own knowledge are true and statements made on information and belief are believed to be true; and that these statements are made with knowledge that willful false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code or other provisions, and that any such willful false statements, if filed, may jeopardize the validity of any related patent application or patent issuing thereon from the U.S. Patent and Trademark Office.

Signature:  
Name:

  
Lynne Verchere

Date of Execution:

04/23/03



## APPENDIX C

Serial No.: 09/441,204  
Attorney Docket No. 56490.000002

10/Affidavit  
No.: 09/441204  
. 56490.000002  
*Sownam*  
5-6-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For: METHOD AND SYSTEM FOR ACQUIRING  
BRANDED PROMOTIONAL PRODUCTS

**DECLARATION OF JEREMIAH J. SHEEHAN**

I, Jeremiah J. Sheehan, declare and attest to the following:

1. I am a citizen of the United States and reside at 411 West 14<sup>th</sup> Street # 2, New York, New York 10014.

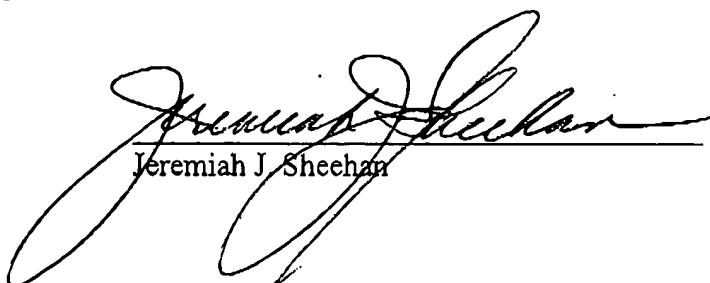
2. David Verchere, sole inventor of the invention disclosed and claimed in the above-identified application, completely disclosed and discussed the subject matter claimed in the above-identified patent application to me prior to at least June 22, 1999. More specifically, David Verchere discussed the product database, vendor entry point interface, vendor showcase module, branded promotional products module, reseller showcase module, company logo store module, back office module, front office module, and bidding module, as recited in claims 21-30, as well as the database, products web page, reseller showcase web page, vendor showcase web page, front office module, bidding module, artwork library and processor of claims 10 and 20.

3. I am David Verchere's legal counsel. David Verchere fully and completely disclosed his inventions as recited in claims 10, 20-31 with me for purposes of obtaining legal guidance and advice.

4. I witnessed and fully understood the complete disclosure given to me in the United States prior to at least June 22, 1999.

5. I declare that the statements made of my own knowledge are true and statements made on information and belief are believed to be true; and that these statements are made with knowledge that willful false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code or other provisions, and that any such willful false statements, if filed, may jeopardize the validity of any related patent application or patent issuing thereon from the U.S. Patent and Trademark Office.

Signature:  
Name:



Jeremiah J. Sheehan

Date of Execution:

09.23.03